(3)

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT BILASPUR

W.P.NO. 1119 / 2004

Petitioner : Murlidhar Dewangan
S/o Late S.L. Dewagasn,
Aged about 38 years,
Occupation: Field Assistant
Central Tasar Silkworm Seed Station,
Lakha, District Raigarh (CG)
R/o Kosta Para, Raigarh
District-Raigarh (CG).

Versus

Respondents :

1. Deputy Director,
Central Tasar Silworm Seed Station,
Lakha, Post Box No.25, PO: Raigarh,
District: Raigarh (CG).
2. Joint Director,
Basic Tasar Silworm Seed Organiation,
Satyam Complex, Link Road, Bilaspur,
District-Bilaspur -(C.G.)
3. Member Secretary,
Central Silk Board, C.S.B. Complex,
B.T.M. Layout, PO Madivala,
Bangalore-68 (Karnataka)

P. R. No. 1103/04
Presented by Shri ... P. R. Pardeshi
dated ... 23.11.04

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

1. **Particulars of the Petitioner :**

As per cause title.

2. **Particulars of the respondents** :

As per cause title.

3. **Particulars of the order against which the petition is being filed** :
   I) Order dated 21.11.2003
   II) Passed by Respondent No.3 .

(48)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक .....W.P.No.1119/2004..... **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	28.9.2005 Shri P.Diwakar, Senior Advocate with Shri P.R.Patankar, counsel for the petitioner. Shri Ashok Swarnkar, Advocate appears on behalf of Shri Vinay Harit, counsel for the respondents. With the consent of the parties, heard finally. The petitioner namely Murlidhar Dewangan who was working as Field Assistant in Central Tasar Silkworm Seed Station, Lakha, Distt. Raigarh (C.G) has been transferred to Research Extension Centre, Central Seed Board, Mulugu, Distt. Warangal (Andhra Pradesh). By way of this writ petition filed under Article 226/227 of the Constitution of India, he has challenged the validity of his transfer order dated 21.11.2003 (Annexure P-3). Vide relief No.7.1 of the prayer clause, he had prayed for quashment of the transfer order dated 21.11.2003 and vide relief No.7.2 he had further prayed that respondents be directed to post the petitioner in any of the adjacent place of Raigarh. By relief No.7.3, the petitioner had prayed that respondent no.1 be directed to release all the dues in respect of the salaries of the petitioner and other benefits with effect from 25.12.2003. Return has been filed in this case on 20.8.2004. Learned counsel for the respondents draws the attention of this court	

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

towards the document Annexure R-1, which is a memorandum dated 06.5.2004 and according to this memorandum, the original transfer order of the petitioner dated 21.11.2003 has been modified and now the petitioner has been transferred to Katghora (C.G).

In view of the subsequent order of modification, this petition does not survive for the main relief of quashing the transfer order of the petitioner. In fact, the reliefs no.1 and 2 sought above have been redressed by the respondents. So far as relief no.3 in relation to the salaries of the petitioner is concerned, learned counsel for the respondents submits that let the petitioner join at his transferred place and make representation to the concerned authority then the matter of salary of the petitioner shall be decided by the concerned authority in accordance with rules applicable in case of the petitioner.

On this statement made by learned counsel for the respondents, for which the respondents are even otherwise also obliged, learned counsel for the petitioner has no objection in taking that course.

In view of the above submissions made by learned counsel for the parties, this petition is disposed of at this stage.

So far as the first two reliefs are concerned, they no longer survive and so far as relief no.3 is concerned, it is directed that the

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -3-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	petitioner will file a detailed representation before the concerned authority of the department and the concerned authority shall dispose of the representation of the petitioner within a period of 8 weeks from the date of filing of the aforesaid representation. With this observation, this petition stands finally disposed of. No order as to costs. **Sd/-** **Sunil Kumar Sinha** **Judge**	